

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76330 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- DHURAIYA District- Banka

Md. Hashim Son of Hifajur Rahman Resident of Village - Tetariya (Rahman Tola), P.S.- Dhoraiya, District - Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party : Mr.Rajeev Nayan,APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Dhoraiya P.S. Case No. 148 of 2019 for the offences under Sections 379 and 411 of the Indian Penal Code; Rule 40 of the B.M.M.C. Rules, 1972; and Section 15 of the Environment Protection Act, 1986.

The allegation against the petitioner is that he was involved in illegal lifting of sand.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. He submits that the petitioner is the owner of J.C.B which was used for removal of Hiwa carrying on illegal sand and the JCB was not involved in illegal mining of sand but JCB was only used to remove Hiwa in order to restore smooth movement of the vehicles on the road.



Considering the aforesaid facts, let petitioner, above-named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Vikash Kumar, Judicial Magistrate, 1st Class, Banka in connection with Dhoraiya P.S. Case No. 148 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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